

atoes at Goldsboro, N. C., alleging that the article had been shipped on or about August 29, 1940, by C. C. Coles Canning Co., Hague, Va.; and charging that it was misbranded. It was labeled in part: (Cans) "Pine Cone Brand Tomatoes Contents 1 Lb. 3 Oz. Albert W. Sisk and Son Distributors."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law; but its quality fell below such standard, and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On April 15, 1941, Albert W. Sisk & Sons having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

**2013. Misbranding of canned tomatoes. U. S. v. 498 Cases and 100 Cases of Canned Tomatoes. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. Nos. 4249, 4250. Sample No. 22404-E.)**

This product was substandard because of low drained weight.

On April 8, 1941, the United States attorney for the Eastern District of New York filed a libel against 498 cases, each containing 24 cans, of tomatoes at Brooklyn, N. Y., and 100 cases, each containing 24 cans, of the same product at Garden City, Long Island, N. Y., alleging that the article had been shipped on or about February 14, 1941, by Parrott & Co. from San Francisco, Calif.; and charging that it was misbranded. It was labeled in part: (Cans) "Lodi Brand Tomatoes \* \* \* Net Contents 1 Lb. 12 Oz."

The article was alleged to be misbranded in that it purported to be a food for which a standard of quality had been prescribed by regulations as provided by law; but its quality fell below such standard, and its label failed to bear in such manner and form as the regulations specify, a statement that it fell below such standard.

On May 6, 1941, Parrott & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be relabeled under the supervision of the Food and Drug Administration.

**2014. Misbranding of canned tomatoes. U. S. v. 100 Cases of Canned Tomatoes. Default decree of condemnation. Product ordered delivered to a charitable organization. (F. D. C. No. 4289. Sample No. 56393-E.)**

This product, which was labeled Grade A, was found to consist of Grade B tomatoes.

On April 10, 1941, the United States attorney for the District of New Jersey filed a libel against 100 cases, each containing 24 cans, of tomatoes at Newark, N. J., alleging that the article had been shipped in interstate commerce on or about February 13, 1941, by Olney & Carpenter, Inc., from Wolcott, N. Y.; and charging that it was misbranded. It was labeled in part: (Cans) "Grade A A&P Vine Ripened Tomatoes Net Wt. 1 Lb. 12 Oz."

The article was alleged to be misbranded in that the statement "Grade A" was false and misleading as applied to Grade B tomatoes.

On August 15, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable organization.

**2015. Adulteration of tomato catsup. U. S. v. 25 Cases of Tomato Catsup. Default decree of condemnation and destruction. (F. D. C. No. 5164. Sample No. 53224-E.)**

Examination showed that this product contained worm and insect fragments.

On July 17, 1941, the United States attorney for the District of Arizona filed a libel against 25 cases, each containing 24 bottles, of tomato catsup at Tucson, Ariz., alleging that the article had been shipped in interstate commerce on or about May 20, 1941, by Kern Food Products, Inc., from Los Angeles, Calif.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: (Bottles) "California Club Brand Pure Tomato Catsup \* \* \* Net Weight 14 Oz."

On September 10, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.